

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 2:04-cr-16

GARY PAUL PHILLIPS-DONOVAN,

HON. GORDON J. QUIST

Defendant.

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REPORT AND RECOMMENDATION

On June 27, 2012, a Petition for Warrant or Summons for Offender Under Supervision was filed, alleging five violations of the defendant's conditions of supervised release. An initial appearance was conducted on July 2, 2012, at which time the defendant requested a revocation hearing and waived his right to a preliminary hearing, his right appear before a district judge, his right to allocution before a district judge, and his right to sentencing before a district judge. On August 14, 2012, the parties appeared before the undersigned for a revocation hearing, at which time the defendant indicated he wished to admit to the five violations as set forth in the petition and and proceed with sentencing. For the reasons stated on the record, it is recommended that the Court enter the attached Judgment in a Criminal Case for Revocation of Probation or Supervised Release.

Dated: August 16, 2012

/s/ Timothy P. Greeley

TIMOTHY P. GREELEY

UNITED STATES MAGISTRATE JUDGE

NOTICE TO PARTIES

You have the right to *de novo* review of the foregoing findings by the district judge. Any application for review must be in writing, must specify the portions of the findings or proceedings objected to, and must be filed and served no later than fourteen days after the hearing. *See* W.D. Mich. L.Cr.R. 11.1(d). Failure to file timely objections constitutes a waiver of any further right to appeal. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). *See also Thomas v. Arn*, 474 U.S. 140 (1985).